

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MODIFICATION TO MUNICIPAL SOLID WASTE PERMIT NO. 66B Mesquite Creek Landfill

Municipal Solid Waste Permit No. 66B is hereby modified as follows:

Description of Change:

The Site Development Plan is modified to provide consistency with the groundwater monitoring wells spacing and the Groundwater Sampling and Analysis Plan requirements contained in Title 30 Texas Administrative Code, Chapter 330, Subchapter J that became effective on March 27, 2006.

The details of this permit modification are contained in the modification application dated November 24, 2009 and the revision dated February 11, 2010.

Part of Permit Modified:

Part III – Site Development Plan

Attachment 5 - Cover Page, Table of Contents (TOC), Section 6 and Drawing 5-1B (added)

Attachment 11- Cover Page, TOC, Sections 1.0, 2.0, 2.4, 2.5, 2.6, 2.7.1 through 2.7.3, 3.0, 3.2, 4.0, 5.0, 5.1 through 5.4, 5.4.1, 5.4.2, 6.0, 7.0, Table III 11.1 through 11.4, and Figure III-11.3

This modification is a part of Permit No. 66B and should be attached thereto.

APPROVED, ISSUED, AND EFFECTIVE in accordance with Title 30 Texas Administrative Code, Chapter 305, Section 305.70(l) and Chapter 330.

ISSUED DATE:

AUG 03 2010


For the Commission

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 10, 2010

Mr. Steve Jacobs, Director of Disposal Operation
Waste Management of Texas, Inc
9708 Giles Lane
Austin, Texas 78754

Re: Mesquite Creek Landfill - Comal County and Guadalupe County
Municipal Solid Waste (MSW) - Permit No. 66B
Permit Modification – Groundwater Monitoring Wells Spacing (Subchapter J) and Groundwater
Sampling and Analysis Plan (GWSAP)
Tracking Nos. 12917145 & 12986542; CN600127856 / RN100218676

Dear Mr. Jacobs:

We have reviewed your application for a MSW permit modification dated November 24, 2009 and the revision dated February 11, 2010, requesting to modify the site development plan to provide consistency with the groundwater monitoring wells spacing and the Groundwater Sampling and Analysis Plan requirements contained in Title 30 Texas Administrative Code, Chapter 330, Subchapter J that became effective on March 27, 2006. The information presented is technically sufficient for a MSW permit modification.

Enclosed is a copy of the above referenced modification which is now part of your permit and should be attached thereto as part of Attachments A and B. The documentation prepared and submitted to support the modification request shall be considered as requirements of the permit.

If you have any questions concerning this matter, please contact Mr. Pladej Hunt Prompungtagorn at (512) 239-1191. When addressing written correspondence, please use mail code MC 124.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality.

Sincerely,

A handwritten signature in black ink, reading "Richard C. Carmichael".

Richard C. Carmichael, Ph.D., P.E.
Manager, Municipal Solid Waste Permits Section
Waste Permits Division

RCC/PHP/fp

cc: Mr. Scott Grave, P.E., GeoSyntec Consultants, Austin

Enclosure

bcc: Mr. Joel Anderson, TCEQ, Waste Program Manager, San Antonio Regional Office, MC-R13
(w/ enclosure)
Mr. Keiandre McGruder, TCEQ Waste Permits Division, MC-126
Ms. Dawn Dollins, TCEQ, Municipal Solid Waste Section, MC 124

STEVE JACOBS DIRECTOR OF DISPOSAL OPERATION
WASTE MANAGEMENT OF TEXAS INC
9708 GILES LANE
AUSTIN TEXAS 78754

MR SCOTT GRAVE PE
GEOSYNTEC CONSULTANTS
3600 BEE CAVES ROAD SUITE 101
AUSTIN TEXAS 78746

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 10, 2010

TO: Persons on the attached mailing list.

RE: Mesquite Creek Landfill – Comal County and Guadalupe County
Permit No. 66B

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director (ED) has issued final approval of the above-named application. According to 30 Texas Administrative Code (TAC) Section 50.135 the approval became effective on August 3, 2010, the date the ED signed the permit or other approval unless otherwise specified in the permit or other approval.

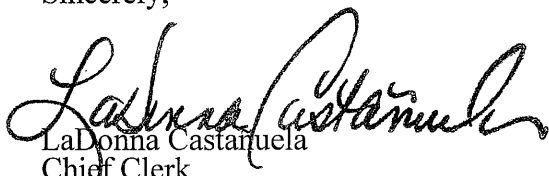
You may file a **motion to overturn** with the chief clerk. A motion to overturn is a request for the commission to review the TCEQ ED's approval of the application. Any motion must explain why the commission should review the TCEQ executive director's action. According to 30 TAC Section 50.139 an action by the ED is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the chief clerk in person, or by mail to the chief clerk's address on the attached mailing list. On the same day the motion is transmitted to the chief clerk, please provide copies to the applicant, the ED's attorney, and the Public Interest Counsel at the addresses listed on the attached mailing list. If a motion to overturn is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the ED's approval. According to Texas Water Code Section 5.351 a person affected by the ED's approval must file a petition appealing the ED's approval in Travis County district court within 30 days after the effective date of the approval. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

Individual members of the public may seek further information by calling the TCEQ Office of Public Assistance, toll free, at 1-800-687-4040.

Sincerely,


LaDonna Castañuela
Chief Clerk
LDC/lg

MAILING LIST
for
Mesquite Creek Landfill
Permit No. 66B

FOR THE APPLICANT:

Steve Jacobs, Director of Disposal Operation
Waste Management of Texas, Inc.
9708 Giles Road
Austin, Texas 78754-9744

Scott M. Graves, P.E.
GeoSyntec Consultants
3600 Bee Caves Road, Suite 101
Austin, Texas 78746

PROTESTANTS/INTERESTED PERSONS:

See attached list.

FOR THE EXECUTIVE DIRECTOR
via electronic mail:

Guy Henry, Senior Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC 173
P.O. Box 13087
Austin, Texas 78711-3087

Pladej Hunt Prompungorn, Technical Staff
Texas Commission on Environmental Quality
Waste Permits Division MC 124
P.O. Box 13087
Austin, Texas 78711-3087

FOR OFFICE OF PUBLIC ASSISTANCE
via electronic mail:

Bridget Bohac, Director
Texas Commission on Environmental Quality
Office of Public Assistance MC 108
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL
via electronic mail:

Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC 103
P.O. Box 13087
Austin, Texas 78711-3087

FOR THE CHIEF CLERK
via electronic mail:

LaDonna Castañuela
Texas Commission on Environmental Quality
Office of Chief Clerk MC 105
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